

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THOMAS HAASS, individually and on behalf :
of all others similarly situated, :

Plaintiff, :

v. :

HOPKINS MANUFACTURING CORP., :
Defendant. :

-----x
ORDER

21 CV 1290 (VB)

Defendant's motion to dismiss the complaint pursuant to Rules 9(b), 12(b)(1), 12(b)(2), and 12(b)(6) (Doc. #16), is DENIED. Plaintiff having withdrawn its claim under the Magnuson-Moss Warranty Act and any claim for injunctive relief, those claims are dismissed.

A telephone conference is scheduled for **March 23, 2022, at 10:00 a.m.**, at which time the Court will issue a bench ruling explaining the basis for its decision. This conference will also serve as an initial conference in this matter, for which the Court will separately issue a Notice of Initial Conference. Counsel shall use the following information to connect by telephone:

Dial-In Number: (888) 363-4749 (toll free) **or** (215) 446-3662
Access Code: 1703567

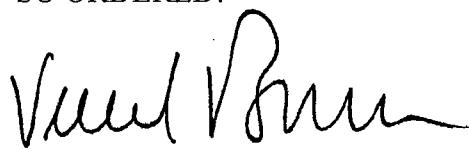
Defendant shall file an answer by March 8, 2022.

By March 18, 2022, counsel shall file on the ECF docket their proposed Civil Case Discovery Plan and Scheduling Order, the blank form for which will be attached to the Notice of Initial Conference.

The Clerk is instructed to terminate the motion. (Doc. #16).

Dated: February 22, 2022
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge